

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

BARBARA J. NEWMAN,)
Plaintiff,)

v.)

JUDGMENT

No. 5:20-CV-610-FL

NORTH CAROLINA INSURANCE)
UNDERWRITING ASSOCIATION,)
KELLOGG-MORGAN AGENCY, INC.,)
NINA WETHINGTON, also known as)
NINA WETHINGTON, also known as)
NINA THEODORA WETHINGTON,)
JOHN/JANE DOES 1-100, NORTH)
CAROLINA JOINT UNDERWRITING)
ASSOCIATION)
Defendants)

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the defendants' motions to dismiss.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered September 29, 2021, and for the reasons set forth more specifically therein, defendant Kellogg-Morgan's Motion to Dismiss for failure to state a claim is GRANTED and defendant Kellogg-Morgan is DISMISSED from this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, in accordance with the court's order entered March 22, 2022 that defendants' NCIUA and NCJUA motion to dismiss is GRANTED IN PART AND DENIED IN PART. Plaintiff's claims against defendant NCIUA are DISMISSED for failure to state a claim under Rule 12(b)(6).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered March 22, 2022 and due to plaintiff's failure to serve process and show proof of service on defendant NCJUA, defendant NCJUA is dismissed and this case is DISMISSED.

This Judgment Filed and Entered on May 2, 2022, and Copies To:

Barbara J. Newman (via CM/ECF Notice of Electronic Filing)

Andrew Pfohl Flynt / Matthew Burke / Matthew J. Gray (via CM/ECF Notice of Electronic Filing)

Michael T. Medford / Brianne M. Glass (via CM/ECF Notice of Electronic Filing)

May 2, 2022

PETER A. MOORE, JR., CLERK

/s/ Sandra K. Collins
(By) Sandra K. Collins, Deputy Clerk